

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

* * *

ROBERT JOSEPH MCCARTY,
Plaintiff,
vs.
LAS VEGAS DEFENSE GROUP, *et al.*,
Defendants.

2:16-cv-00161-RFB-VCF
ORDER

Before the court is Plaintiff's Motion to Withdraw Complaint (#4). Plaintiff seeks to withdraw his complaint and file in state court. Under FED. R. CIV. P. 41(a)(1), the plaintiff may dismiss an action without a court order by filing a notice of dismissal before the opposing party serves an answer. To date, Defendants have not been served.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion to Withdraw Complaint (#4) is GRANTED.

The Clerk of Court is directed to close this case.

DATED this 12th day of February, 2016.

Carl Becker

CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE